IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

MONDAY, THE 13TH AUGUST 2007 / 22ND SRAVANA 1929

WP(C).No. 24472 of 2007(L)

PETITIONER:

MADHU N.,
HSST SANSKRIT SAHITHYA, K.V.SANSKRIT HSS,
MUTHUKULAM.

BY ADV. SRI.BENOY THOMAS

RESPONDENTS:

---

1. STATE OF KERALA,
REPRESENTED BY THE SECRETARY, GENERAL EDUCATION
DEPARTMENT, THIRUVANANTHAPURAM.

2. DIRECTOR OF HIGHER SECONDARY EDUCATION,
THIRUVANANTHAPURAM.

3. THE MANAGER,
K.V.SANSKRIT H.S.S., MUTHUKULAM.

BY GOVERNMENT PLEADER SRI.A.J.VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K.BASHEER, J.

W.P.(C)No.24472 OF 2007

Dated this the 13th day of August, 2007

JUDGMENT

Grievance of the petitioner, who is a Higher Secondary School Teacher (Sanskrit) (Sahithya) working in the school under the management of respondent no.3, is that his appointment ought to have been approved with effect from July 15, 2001, the date on which the post originated in the school. But the Director has granted approval only with effect from November 15, 2001. Learned counsel submits that petitioner has submitted Ext.P5 representation requesting for "rectification of the anomaly". The limited prayer is to issue a direction to respondent no.2 to take a decision on Ext.P5 without any delay.

2. In the above facts and circumstances, I do not propose to deal with the merit of the contentions raised by the petitioner. It will be open to respondent no.2 to take a decision on Ext.P5 strictly on its merit and in accordance with law after affording an opportunity of hearing to the petitioner

and the manager of the school. This shall be done as expeditiously as possible, at any rate, within four months from the date of receipt of a copy of this judgment. Petitioner shall produce a copy of the writ petition along with a certified copy of the judgment before respondent no.2 for compliance.

Writ petition is disposed of as above.

A.K.BASHEER, JUDGE

jes